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DEPARTMENT FOR AF/W, DRL

E.O. 12958  
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SUBJECT: PARLIAMENT PASSES CHILD RIGHTS ACT BEFORE DISSOLVING

¶1. (SBU) On June 6, Parliament passed the Child Rights Act. The legislation had languished in Parliament for months reportedly due to members' inability to reach a consensus on language to address guarded traditional initiation rituals, including female genital mutilation (FGM) and male circumcision. Parliament observers reported Parliamentarians were uncomfortable inserting language into the legislation that would ban FGM, given that FGM is still widely accepted and practiced by secret societies in Sierra Leone. Parliamentarians also expressed unease with banning FGM, fearful that it may be used against them in the upcoming political campaigns. The final bill passed without any specific reference to FGM.

¶2. (U) The new Act makes it illegal to "subject anybody under the age of 18 to harmful treatment." The legislation also defines anyone under the age of 18 as a child and prohibits forced marriage for girls under the age of 18. The Act also contains provisions for the creation of family courts and child committees at the local government level.

¶3. (SBU) Commenting on the legislation's passage, Chairman of the Parliamentary Committee on Human Rights Dr. Alusine Fofanah hailed it as extremely important for the promotion of human rights and protection of children. Chairperson of the GOSL's new Human Rights Commission Mrs. Jamesina King voiced similar praise stating the Act was a huge step for the recognition of human rights in the country.

¶4. (SBU) Although the Act does not categorically prohibit FGM, many human rights groups and medical professionals, who consider FGM harmful, have said they are prepared to argue that "harmful treatment" may be interpreted to mean it is legally enforceable to ban FGM for girls under the age of 18. Dr. Fofanah told PolOff that the legislation still lacked an adequate definition of initiation. Despite no specific reference to a ban on FGM, he felt that the Act will provide sufficient protection for girls until they are 18. The new law requires individual consent be given for anyone 18 and older before they can be initiated.

¶5. (SBU) Parliament is scheduled to dissolve on June 25 in preparation for the Parliamentary and Presidential Elections on August 11. It is hurriedly trying to pass legislation in its last days, including the Trade Act and three gender bills. There will be a large turnover in the membership as many members are not expected to contest their seats, and many other members have already been ousted in their party primaries. Human rights advocates are hopeful that the new Parliament will revisit the legislation following the elections and add amendments to include language specifically banning FGM and other harmful initiation rituals.

¶6. (SBU) COMMENT: The passage of this important legislation is a welcome sign that the Government is serious about providing adequate protection for vulnerable women and children who regularly have been victims of violence, abuse, exploitation, and deprivation. Outgoing President Ahmad Tejan Kabbah made good on his promise to push the

Act through Parliament. President Kabbah also signed a certificate of urgency to help expedite three critical Gender bills, which may pass before Parliament dissolves in late June. END COMMENT.

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